

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

ERIC BRACE,

Plaintiff,

v.

No. 07-2459

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
DISMISSING THE PLAINTIFF'S SOCIAL SECURITY APPEAL WITH PREJUDICE**

The Plaintiff, Eric Brace, filed this social security appeal on July 9, 2007. On October 22, 2007, this Court referred the appeal to Magistrate Judge Tu M. Pham for a report and recommendation. Judge Pham issued his report on November 20, 2007, recommending that the case be dismissed with prejudice for failure to prosecute. The parties had until November 30, 2007, to object to Judge Pham's report and recommendation. According to the Court's docket, no objections to the magistrate judge's report and recommendation have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

The Court has reviewed the magistrate judge's report and recommendation, and the entire record of the proceeding before the magistrate judge. No objections having been filed, the Court ADOPTS the magistrate judge's report and recommendation. Therefore, the Plaintiff's social security appeal is DISMISSED with prejudice for failure to prosecute. The Clerk is directed to enter judgment in accordance with this Order.

IT IS SO ORDERED this 6th day of December, 2007.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE